

ORIGINAL

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

In re:

FRANK'S NURSERY & CRAFTS, INC.
FNC HOLDINGS, INC.

Debtors

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Case No: 01-5-2415-JS

Case No: 01-5-2416-JS

(Chapter 11)

(Jointly Administered)

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NOTICE OF APPEARANCE AND
REQUEST FOR LIMITED SERVICE OF PAPERS

PLEASE TAKE NOTICE that pursuant to Rules 2002 and 9010 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Section 1109(b) of Title 11 of the United States Code (the "Bankruptcy Code"), U.S. Retail Partners, LLC, successor by name change to BPP Retail, LLC, as landlord for Rockford Road Plaza in Plymouth, Minnesota ("U.S. Retail"), by its counsel, Rosenberg Proutt Funk & Greenberg, LLP, request that all notices given or required to be served in the above-captioned case be given to and served upon:

Lawrence J. Yumkas, Esquire
Rosenberg Proutt Funk & Greenberg, LLP
2115 Allfirst Building
25 South Charles Street
Baltimore, Maryland 21201

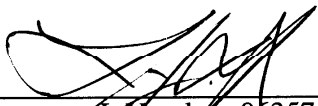
PLEASE TAKE FURTHER NOTICE that, pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notice and papers referred to in Bankruptcy Rule 2002, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by the United States Postal Service, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex, or otherwise pertaining to the above-captioned case.

The filing of this Notice of Appearance and Request for Service of Papers is not:

- (a) a waiver or release of U.S. Retail's rights against any person, entity or property; (b) a waiver or release of U.S. Retail's right to have any and all final orders in any and all non-core matters

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entered only after *de novo* review by a United States District Judge; (c) a consent by U.S. Retail to the jurisdiction of this Bankruptcy Court for any purpose other than with respect to this Notice of Appearance and Request for Service of Papers and U.S. Retail does not waive, and specifically preserves, all of his procedural and substantive defenses to any claim that may be asserted against U.S. Retail by the Debtor, including any defense based on the lack of jurisdiction of this Bankruptcy Court to entertain such claim and U.S. Retail's entitlement under Amendment VII of the Constitution of the United States to trial by jury; (d) an election of remedy; (e) a waiver or release of U.S. Retail's right to a jury trial in any proceeding as to any and all matters so triable therein, whether or not the same be designated legal or private rights or in any case, controversy or proceeding related hereto, notwithstanding the designation or not of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b), and whether such jury trial right is pursuant to statute or the United States Constitution; or (f) a waiver of the right to move to withdraw the reference, and objection thereto, or any other proceedings, if any, which may be commenced in this case against or otherwise involving U.S. Retail.



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Attorneys for U.S. Retail Partners, LLC,
successor by name change to BPP Retail,
LLC, as landlord for Rockford Road Plaza
in Plymouth, Minnesota

CERTIFICATE OF SERVICE

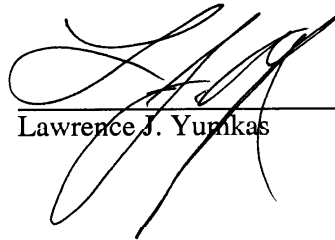
I HEREBY CERTIFY that on this 6th day of April, 2001, a copy of the foregoing

Notice was mailed first class, postage prepaid to:

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